

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3       Shawn Cross,  
4               Plaintiff

5       v.

6       Golden Nugget Hotel & Casino, et al.,  
7               Defendants

Case No.: 2:22-cv-00611-JAD-VCF

**Order Adopting Report and  
Recommendation and Dismissing Case**

[ECF Nos. 17, 18]

8               The magistrate judge screened Plaintiff Shawn Cross's complaint and dismissed it with  
9 leave to amend by December 28, 2022.<sup>1</sup> In the dismissal order, the magistrate judge explained  
10 the numerous deficiencies that required dismissal: Cross's complaint was mostly a blank form,  
11 lacking factual allegations and alleging merely that the Golden Nugget and Troy Liquor Bar  
12 violated Nevada Revised Statutes 608.080–190; and Cross does not allege that this court has  
13 jurisdiction over these state-law claims, and a liberal construction of his complaint and its  
14 attachments reveals no basis for federal jurisdiction, leaving this court without the power to  
15 decide this dispute.<sup>2</sup> Though it did not appear to the magistrate judge that Cross could state a  
16 federal claim, he gave Cross leave to amend and instructions on how to amend his complaint to  
17 attempt to do so.<sup>3</sup>

18               Cross did not amend his complaint by the December 28, 2022, deadline, so the  
19 magistrate judge recommends that I dismiss this action with prejudice.<sup>4</sup> Cross filed a timely  
20 response to that recommendation, but his three-sentence objection is silent about the

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22 <sup>1</sup> ECF No. 16.

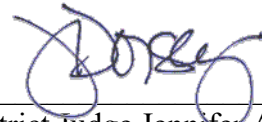
23 <sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 4.

<sup>4</sup> ECF No. 17.

1 jurisdictional problem and pleading deficiencies, and Cross still has not filed an amended  
2 complaint.

3 IT IS THEREFORE ORDERED that Cross's objection [ECF No. 18] is **OVERRULED**,  
4 the magistrate judge's report and recommendation [ECF No. 17] is **ADOPTED in full** for the  
5 reasons stated therein and in the magistrate judge's dismissal order [ECF No. 16]. **This action is**  
6 **DISMISSED** without prejudice to Cross's ability to file it in state court, and the Clerk of Court  
7 is directed to **CLOSE THIS CASE**.

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9 U.S. District Judge Jennifer A. Dorsey  
10 January 23, 2023  
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